THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23051 of 2006

Dated:15.12.2006

Between
K.Ramalakshumma

.....Petitioner

and

1.The Joint Collector, Kadapa
District , Kadapa and others.

…Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23051 of 2006

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the 2nd respondent in suspending the authorization held by the petitioner *vide* proceedings in Ref.C./790/2006 dated 12.10.2006 as arbitrary and illegal.

It appears that the petitioner is the fair price shop dealer of Nadimpalle, hamlet of Araveedu village, Galiveedu Mandal, Kadapa District. While so, his authorization was suspended through impugned order dated 12.10.2006 on certain allegations made against him. In fact, aggrieved by the said order, the petitioner has already filed a statutory appeal along with stay petition before the 1st respondent-Joint Collector, Kadapa. However, the 1st respondent *vide* order dated 31.10.2006 rejected the stay petition and directed the 2nd respondent-Revenue Divisional Officer, Kadapa to pass final orders and dispose of the appeal. But,

no decision was taken by the 1st respondent as to the merits and de-merits of the suspension order passed by the 2nd respondent against which the appeal was filed. Under those peculiar circumstances, the petitioner was forced to file the present writ petition challenging the impugned proceedings dated 12-10-2006.

I have perused the impugned order. It does not indicate any allegations against the petitioner with reference to a specific card holder or villager having complained and made a statement before the authorities. The allegations are not only general but also vague. Hence, I am of the opinion that suspension of the authorization of the petitioner during pendency of the enquiry, against the petitioner, cannot be said to be in public interest. The 1st respondent-Joint Collector has already disposed of the appeal and directed the 2nd respondent Revenue Divisional Officer to complete the enquiry and pass final orders.

In view of the above, I deem it appropriate to continue the interim order granted on 8.11.2006 suspending the authorization of the impugned proceedings dated 12.10.2006 till the enquiry is completed and final orders are passed by the 2nd respondent-Revenue Divisional Officer.

Writ petition is disposed of accordingly. No costs.

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15-12-2006

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